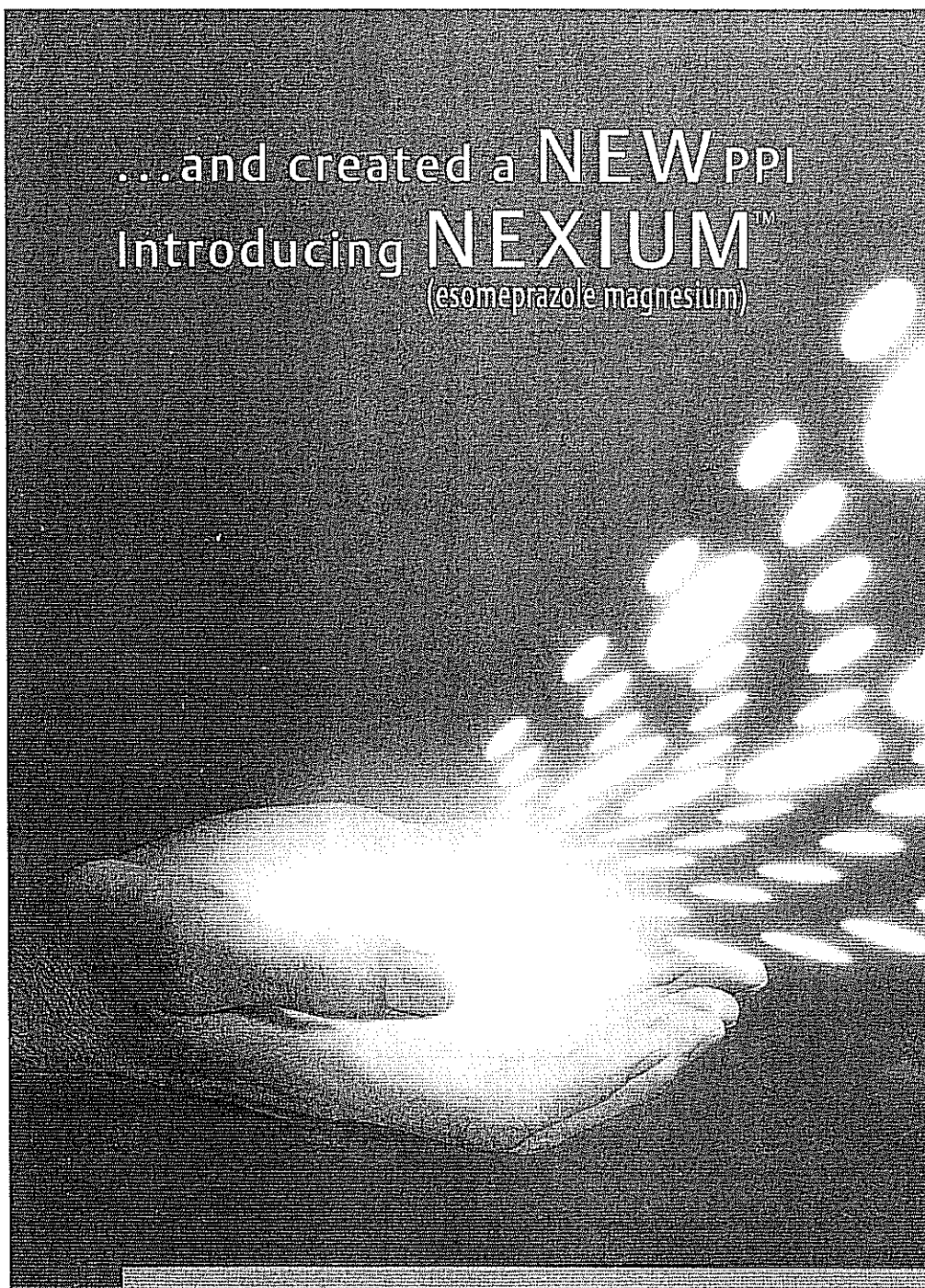


Consolidated Class Action Complaint

Part 2 of 3



124. The following print advertisement appeared several times in print media throughout the Class Period:

For GERD patients with erosive esophagitis

The **POWERFUL** new PPI

NEW


Nexium™
(esomeprazole magnesium)

from the maker of Prilosec® (omeprazole)

The most frequently reported adverse events with NEXIUM and Prilosec are headache, diarrhea, and abdominal pain. Symptomatic response to therapy does not preclude the presence of gastric malignancy.

NEXIUM and Prilosec should be used only for the conditions, dosages, and durations specified in the Prescribing Information. Before prescribing NEXIUM or Prilosec, please see brief summary of full Prescribing Information on next page.

NEXIUM is a trademark and Prilosec is a registered trademark of the AstraZeneca group of companies.
Please visit our Web site at www.nexium-us.com

AstraZeneca 

125. The foregoing advertisements were deceptive and misleading in a number of respects. The overall intent of these advertisements and others of a similar nature was to cause doctors and consumers to believe that Nexium was superior to Prilosec, hence the phrase “Powerful New PPI.” The impression created by this advertisement was misleading in that Nexium was not “new” in any meaningful clinical sense and was not “powerful” in that it offered no clinical improvement over Prilosec as the advertisement implies and/or suggests. Further, the advertisements are deceptive in that they reference esophagitis studies comparing Nexium to Prilosec, but omit the findings of those same studies that Nexium offered no statistically significant improvement over Prilosec. The advertisement is also deceptive and misleading because it creates the impression Nexium, but not Prilosec, did well in the head-to-head tests. The advertisement states that the EE studies comparing Prilosec with Nexium show that Nexium has “proven efficacy in short term healing (4-8 weeks) and that Nexium has “proven symptom control.” The same can be said for Prilosec, but the advertisement, by omission, leads the reader to conclude that Nexium accomplished something in the studies that Prilosec didn’t. This is bolstered by the fact that Nexium and Prilosec are held out as on equal footing on safety and tolerability. In other words, to the reasonable reader, Nexium was different than Prilosec with respect to the first two points concerning efficacy, and similar to Prilosec when it comes to safety and tolerability.

126. The following advertisement appeared in print media on several occasions throughout the Class Period:

*"I didn't know acid reflux
could wear away the
lining of my esophagus"*

The makers of Prilosec[®] (omeprazole)
proudly introduce
Nexium
Relieve the heartburn.
Heal the damage. For many,
it's possible with NEXIUM.

If you suffer from persistent heartburn
2 or more days a week, even though
you've treated it and changed your diet,
it may be due to acid reflux disease.
And that can be serious. Because, over
time, acid reflux can erode or wear away
the delicate lining of your esophagus
(erosive esophagitis). Only a doctor can
determine if you have this damage.

For many people, prescription
NEXIUM—once daily—provides
complete resolution of heartburn
symptoms and heals damaging erosions
of the esophagus caused by acid reflux
disease. Your results may vary.

The new purple pill
Talk with your doctor to see if
NEXIUM is right for you. Most erosions
heal in 4 to 8 weeks with NEXIUM.

The most common side effects of NEXIUM
and Prilosec are headache, diarrhea, and
abdominal pain. Symptom relief does not
rule out serious stomach conditions.

Visit purplepill.com or call
1-888-PURPLEPILL
for more information.

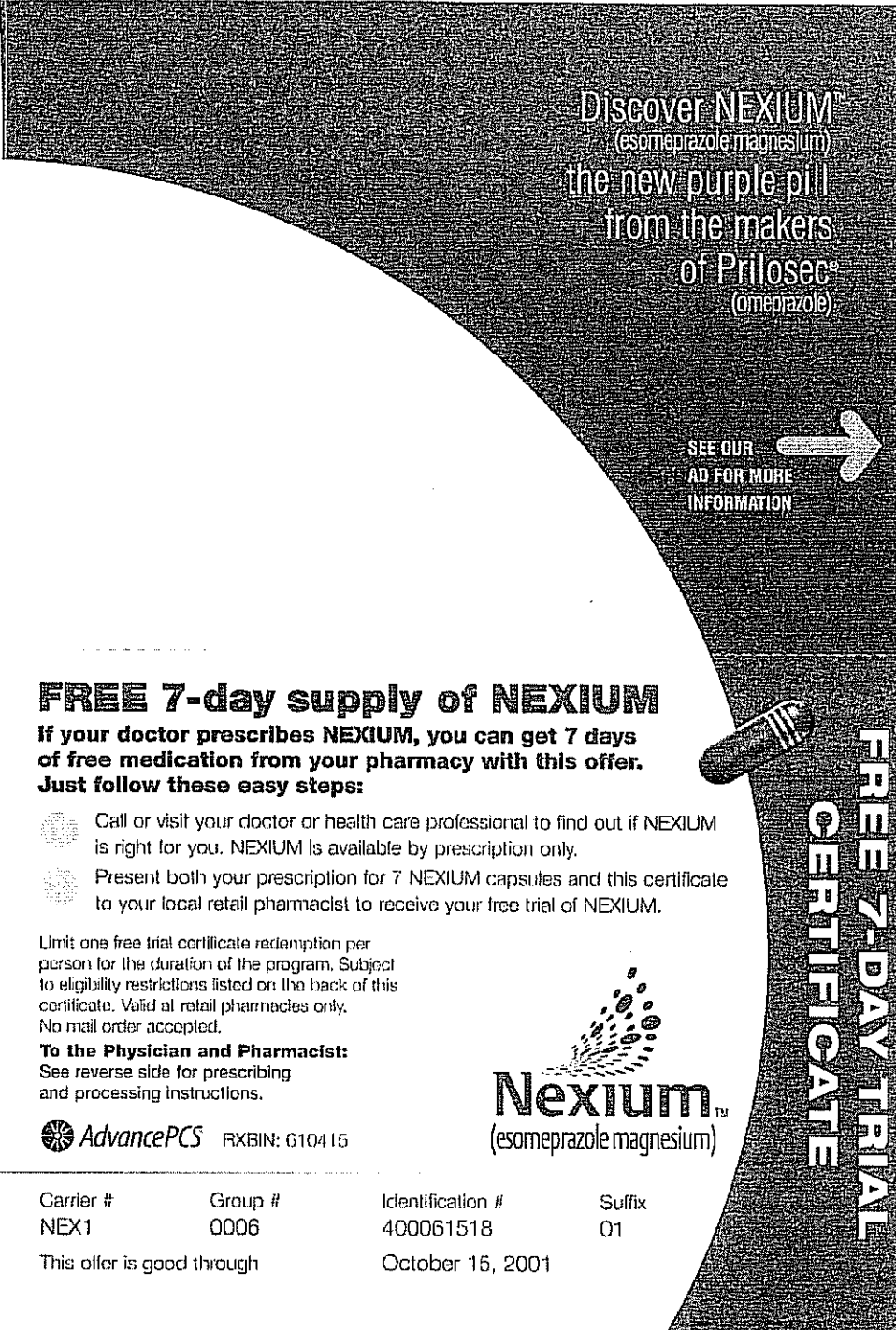
AstraZeneca
Please read the important Product Information about NEXIUM
on the following page and discuss it with your doctor.
NEXIUM is a trademark and Prilosec is a registered trademark of the AstraZeneca group of companies.
© 2001 AstraZeneca LP. All rights reserved. 202716A 5/01

Nexium
(esomeprazole magnesium)

127. This advertisement was deceptive and unfair in a number of regards. The overall intent of the advertisement was to cause doctors and consumers to believe that Nexium was a

better product. Why “proudly introduce” Nexium if there was not an improvement over Prilosec. The advertisement refers to “the new purple pill” without disclosing that it chemically and clinically is not “new,” but simply the same basic drug with the same clinical benefits at a greater cost. Having invoked the Prilosec image of the “purple pill,” and the terms “proudly” and Prilosec, a fair disclosure would have disclosed the lack of clinical superiority between Nexium and Prilosec. The advertisement also fails to disclose that any possible claims of superiority, were offset when in such tests Nexium had a greater incidence of side effects, including headache, abdominal pain, and diarrhea.

128. The following Nexium advertisement appeared in print media during the Class Period:



Discover NEXIUM™
(esomeprazole magnesium)
the new purple pill
from the makers
of Prilosec®
(omeprazole)


SEE OUR
AD FOR MORE
INFORMATION →


FREE 7-day supply of NEXIUM
If your doctor prescribes NEXIUM, you can get 7 days
of free medication from your pharmacy with this offer.
Just follow these easy steps:

- Call or visit your doctor or health care professional to find out if NEXIUM is right for you. NEXIUM is available by prescription only.
- Present both your prescription for 7 NEXIUM capsules and this certificate to your local retail pharmacist to receive your free trial of NEXIUM.

Limit one free trial certificate redemption per person for the duration of the program. Subject to eligibility restrictions listed on the back of this certificate. Valid at retail pharmacies only. No mail order accepted.

To the Physician and Pharmacist:
See reverse side for prescribing and processing instructions.

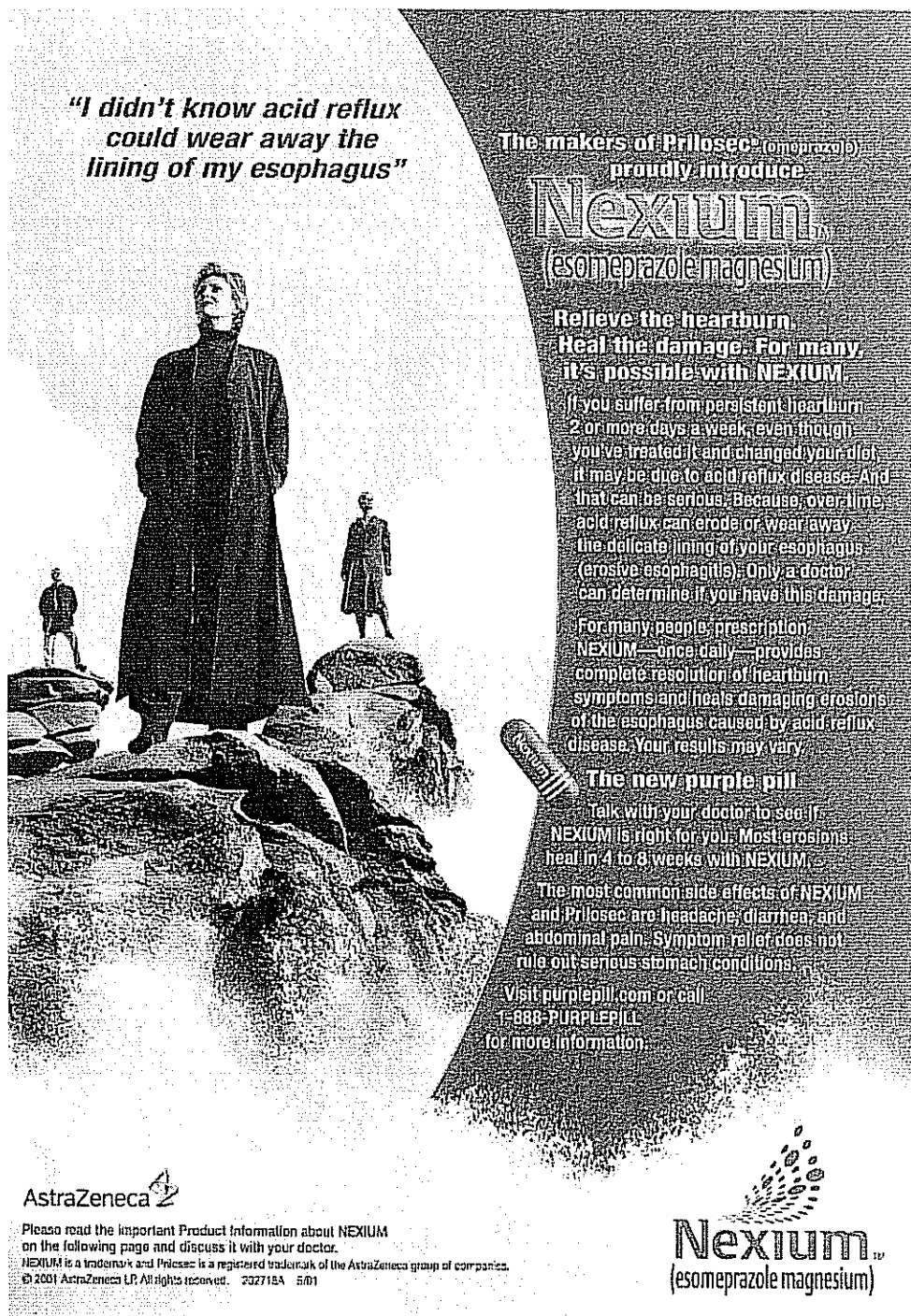
 AdvancePCS RXBIN: 610415


Nexium™
(esomeprazole magnesium)

**FREE 7-DAY TRIAL
CERTIFICATE**

Carrier #	Group #	Identification #	Suffix
NEX1	0006	400061518	01
This offer is good through		October 15, 2001	

[Advertisement continues on next page.]



"I didn't know acid reflux could wear away the lining of my esophagus"

The makers of Prilosec® (omeprazole) proudly introduce

Nexium_®

(esomeprazole magnesium)

Relieve the heartburn. Heal the damage. For many, it's possible with NEXIUM.

If you suffer from persistent heartburn 2 or more days a week, even though you've treated it and changed your diet, it may be due to acid reflux disease. And that can be serious. Because, over time, acid reflux can erode or wear away the delicate lining of your esophagus (erosive esophagitis). Only a doctor can determine if you have this damage.


For many people, prescription NEXIUM—once daily—provides complete resolution of heartburn symptoms and heals damaging erosions of the esophagus caused by acid reflux disease. Your results may vary.

The new purple pill

Talk with your doctor to see if NEXIUM is right for you. Most erosions heal in 4 to 8 weeks with NEXIUM.

The most common side effects of NEXIUM and Prilosec are headache, diarrhea, and abdominal pain. Symptom relief does not rule out serious stomach conditions.

Visit purplepill.com or call 1-888-PURPLEPILL for more information.

AstraZeneca 

Please read the important Product Information about NEXIUM on the following page and discuss it with your doctor.
NEXIUM is a trademark and Prilosec is a registered trademark of the AstraZeneca group of companies.
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Nexium_®
(esomeprazole magnesium)

129. This advertisement is part of AstraZeneca's misleading and deceptive course of conduct in that it (1) omits any reference to the lack of clinical advantages of Nexium compared to Prilosec, despite reference to Prilosec; (2) it offers a free 7-day trial in an effort to lure consumers into switching to Nexium despite the lack of a clinical benefit in doing so; and (3) it

used the term “proudly” to create the false impression that Nexium was an improvement over Prilosec.

130. The following Nexium advertisement appeared in print media throughout the country at various times in the Class Period.



Today's Purple Pill is NEXIUM
from the makers of
Prilosec® (omeprazole)

Relieve the heartburn. Heal the damage. **Formally, it's possible with NEXIUM.**
If you suffer from persistent heartburn 2 or more days a week, it's time to try NEXIUM. NEXIUM is a powerful acid reducer that can be serious, so it's important to take it as directed. NEXIUM can help heal the damage done by acid reflux disease.

FREE 7-day supply of NEXIUM
If your doctor prescribes NEXIUM, you can get 7 days of free medication from your pharmacy with this offer. Just follow these easy steps:

- Call or visit your doctor or health care professional to find out if NEXIUM is right for you. NEXIUM is available by prescription only.
- Present both your prescription for 7 NEXIUM capsules and this certificate to your local retail pharmacist to receive your free trial of NEXIUM.

Limit one free trial certificate redemption per person for the duration of the program. Subject to eligibility restrictions listed on the back of this certificate. Valid at retail pharmacies only. No cash order accepted.

To the Physician and Pharmacist:
See reverse side for prescribing and processing instructions.
AdvancePCS RXBIN: 610415

Nexium
(esomeprazole magnesium)

FREE 7-DAY TRIAL CERTIFICATE

Professional to see if NEXIUM is right for you. NEXIUM is available by prescription only. NEXIUM is a powerful acid reducer that can be serious, so it's important to take it as directed. NEXIUM can help heal the damage done by acid reflux disease.

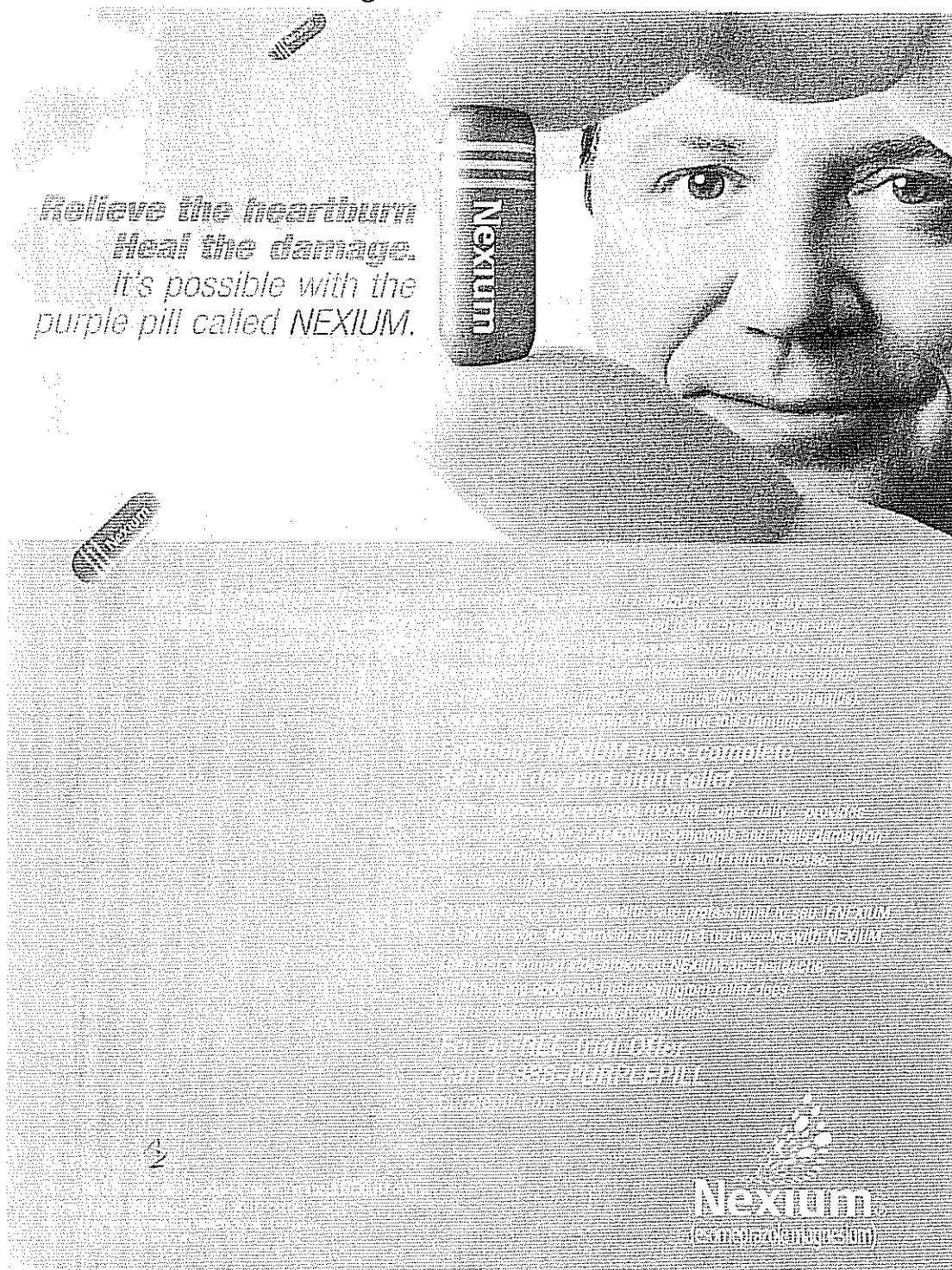
Nexium
(esomeprazole magnesium)

Center #	Group #	Identification #	Suffix
NEX1	0028	400280279	01

This offer is good through December 31, 2002

131. This advertisement was deceptive and unfair for the following reasons. It refers to “Today’s Purple Pill ... from the makers of Prilosec.” The intent and impression created by this advertisement is that Nexium is an improvement over Prilosec, otherwise why would the makers of Prilosec offer it? Having referenced Prilosec, the advertisement is also deceptive for failure to disclose that the exact same relief that is “possible” with Nexium is also possible with Prilosec and that Nexium is not superior in any fashion to Prilosec.

132. The following Nexium advertisement appeared in print publications throughout the nation at various times during the Class Period:



*Relieve the heartburn.
Heal the damage.
It's possible with the
purple pill called NEXIUM.*

**Examine NEXIUM and compare.
24-hour day-and-night relief.**

Examine NEXIUM and compare. NEXIUM, once daily, provides 24-hour relief of heartburn symptoms and heals damage to the lining of the stomach caused by acid reflux disease. And it's easy to take.

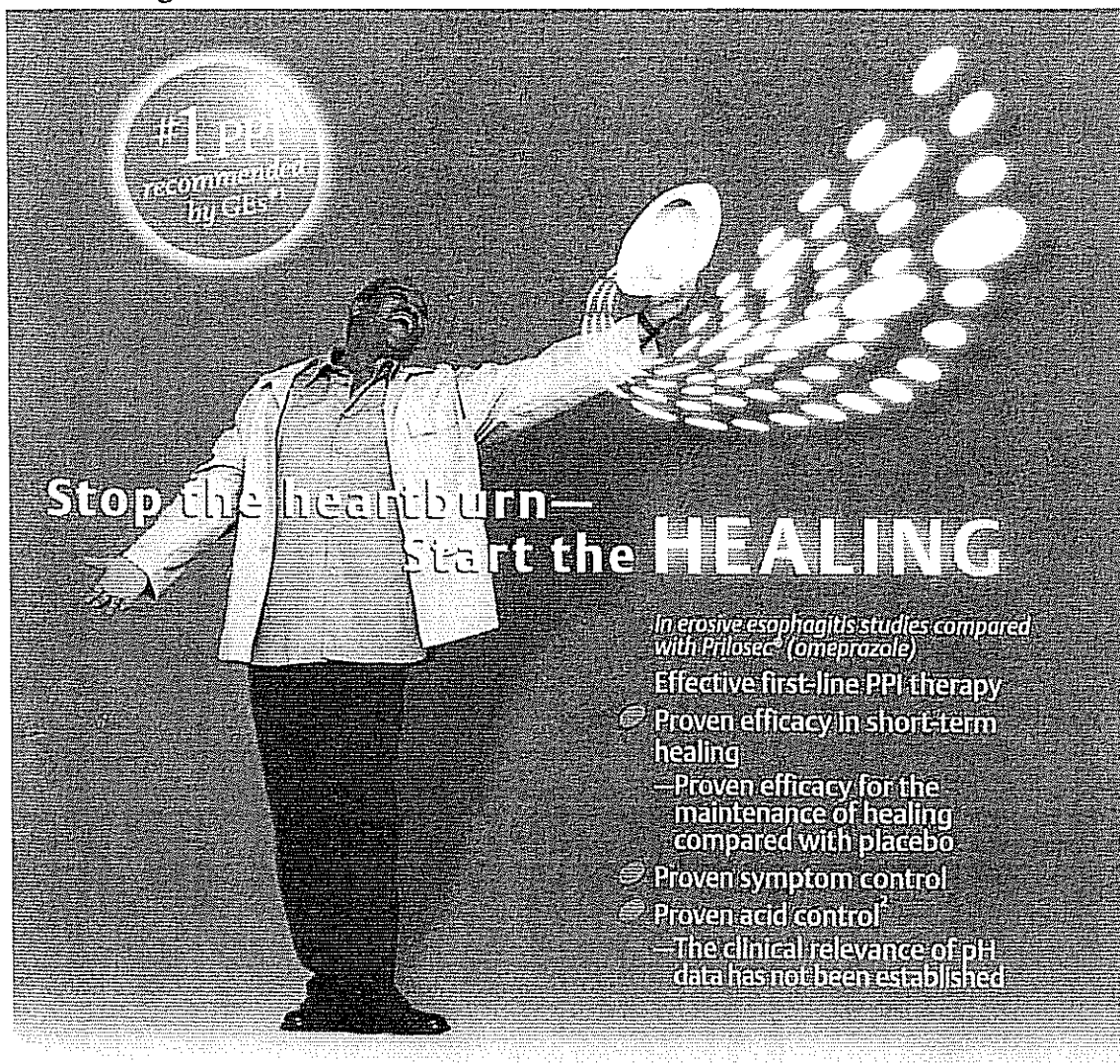
NEXIUM is the only medicine that has been proven to soothe NEXIUM heartburn. Most heartburn goes away in just a few days with NEXIUM. But NEXIUM also heals the damage NEXIUM can cause. Headache, dizziness, and constipation are common side effects. Tell your doctor about all the medicines you're taking.

**For a FREE trial offer,
call 1-800-PURPLEPILL.**

**Nexium.
(esomeprazole)**

133. The foregoing advertisement is misleading and/or deceptive as it fails to disclose that AstraZeneca has manufactured and distributed for sale Nexium solely to maintain the superior profits that derive from sales of a brand name drug, as opposed to a generic drug, and that AstraZeneca manufactures a far less expensive drug that is equally as effective. Given the fact that advertisement capitalizes on the “purple pill,” which Prilosec had been prior to Nexium, it was deceptive to omit disclosure of the fact there is no statistical clinical significance in Nexium over Prilosec. The statement that “Relieve the heartburn Heal the damage.” as being possible with “the purple pill called Nexium” is misleading and creates a false impression by implying that Nexium is superior in this regard to Prilosec when in fact the exact same relief and healing is available with Prilosec.

134. The following advertisement was published by AstraZeneca and appeared in print media throughout the nation:



#1 PPI recommended by GIs*

**Stop the heartburn—
Start the HEALING**

In erosive esophagitis studies compared with Prilosec® (omeprazole)


- Effective first-line PPI therapy
- Proven efficacy in short-term healing
 - Proven efficacy for the maintenance of healing compared with placebo
- Proven symptom control
- Proven acid control[†]
 - The clinical relevance of pH data has not been established

The most frequently reported adverse events with NEXIUM and Prilosec are headache, diarrhea, and abdominal pain. Symptomatic response to therapy does not preclude the presence of gastric malignancy.

NEXIUM and Prilosec should be used only for the conditions, dosages, and durations specified in the full Prescribing Information. Before prescribing NEXIUM or Prilosec, please see brief summary of full Prescribing Information on next page.

[†] Consecutive quarters from October 2001 through December 2002, IMS HEALTH/NIDH.

Please visit our Web site at www.Nexium-us.com

AstraZeneca 



Nexium®
(esomeprazole magnesium)
EXPERIENCE THE POWER